

**BEST AVAILABLE COPY**

Page 2 of 10  
Application No. 10/697,366  
Amendment A

10-17-05

**Amendments To The Claims****Amendments To The Claims**

Claim 1 (Currently amended): An apparatus for use in wireless communication, comprising:

an in-band system providing in-band wireless communication, wherein the in-band system has an active mode and a sleep mode; and

an out-of-band system providing out-of-band wireless communication, wherein the out-of-band system comprising an out-of-band transceiver is coupled with the in-band system, and the out-of-band system transceiver receives an out-of-band wireless communication and the out-of-band transceiver transmits an out of band communication such that the out-of-band system activates the in-band system causing the in-band system to transition from the sleep mode to the activate active mode.

Claim 2 (Currently amended): The apparatus of claim 1, wherein the out-of-band system includes a controller, such that a least a portion of the out-of-band wireless communication is directed to the controller and the controller activates the in-band system causing the in-band system to transition from the sleep mode to the activate active mode.

Claim 3 (Original): The apparatus of claim 2, wherein the controller further transmits an out-of-band communication.

Claim 4 (Original): The apparatus of claim 3, wherein the controller awaits an out-of-band wireless communication reply to the transmit out-of-band communication prior to activating the in-band system.

407364-1

# BEST AVAILABLE COPY

Page 3 of 10  
Application No. 10/697,366  
Amendment A

Reference No.: 02/17/05 7,295

## Claim 5 (Cancelled)

~~Claim 6 (Original): The apparatus of claim 1, wherein the out-of-band wireless communication is received over an out-of-band channel.~~

~~Claim 7 (Original): The apparatus of claim 6, wherein the out-of-band communication is received at a frequency spectrum different than an in-band wireless communication.~~

~~Claim 8 (Original): The apparatus of claim 1, wherein the in-band system is completely powered down when operating in the sleep mode.~~

~~Claim 9 (Original): The apparatus of claim 8, wherein the in-band system includes an in-band controller, such that the in-band controller is powered down when the in-band system is in the sleep mode.~~

~~Claim 10 (Currently amended): A wireless communication device, comprising:~~

~~an in-band system; and  
an out-of-band system comprising a transceiver coupled with the in-band system, wherein the out-of-band system activates the in-band system when the out-of-band system wirelessly receives an out-of-band communication and the transceiver wirelessly transmits an out-of-band interrogation, such that the in-band system provides wirelessly wireless in-band communication.~~

407364-1

**BEST AVAILABLE COPY**

Page 4 of 10  
Application No. 10/697,366  
Amendment A

~~Claim 11 (Original): The wireless communication device of claim 10, wherein the in-band system has a sleep mode and an active mode, such that the in-band system transitions from the sleep mode to the active mode when activated by the out-of-band system.~~

~~Claim 12 (Original): The wireless device of claim 11, further comprising:~~  
~~an access point wirelessly coupled with the out-of-band system, wherein the access point generates the out-of-band wireless communication.~~

~~Claim 13 (Original): The wireless device of claim 11, further comprising:~~  
~~a host processor that is powered down when the in-band system is in the sleep mode.~~

**Claim 14 (Currently amended): A method for use in wireless communications, comprising:**

**maintaining an in-band system in a sleep mode;**  
**receiving a wireless out-of-band communication;**  
**transmitting a wireless out-of-band communication in response to receiving the out-of-band communication;**  
**activating the in-band system in response to the out-of-band communication;**  
**and**  
**transitioning the in-band system from the sleep mode to an active mode.**

**Claim 15 (Original): The method of claim 14, wherein the receiving the out-of-band communication includes receiving the out-of-band communication through an out-of-band system.**

407364-1

**BEST AVAILABLE COPY**

Page 5 of 10  
Application. No. 10/697,366  
Amendment A

**Claim 16 (Original):** The method of claim 14, wherein the maintaining the in-band system in the sleep mode includes completely powering down the in-band system.

**Claim 17 (Original):** The method of claim 14, further comprising verifying a target device of the out-of-band communication, and initiating the activating of the in-band system when the target device is verified as the intended target.

**Claim 18 (Original):** The method of claim 17, wherein the verifying the target device is the intended target includes transmitting an out-of-band identification request; and

receiving an out-of-band reply containing an identification.

**Claim 19 (Currently amended):** The method of claim 14, further comprising transitioning the in-band system from the active mode to the sleep mode following reception of in-band out-of-band communications.

**Claim 20 (Original):** The apparatus of claim 19, wherein the out-of-band communication is modulated with a different modulation scheme than a modulation scheme for an in-band wireless communication.

**Claim 21 (New):** The apparatus of claim 1, wherein the out-of-band system is maintained in a sleep mode for a period of time and further is configured to be active for a period of time.

407364-1